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**MAILED**

**FEB 23 2005**

**DIRECTOR'S OFFICE  
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DALLAS OFFICE OF FULBRIGHT & JAWORSKI L.L.P.  
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DALLAS TX 75201-2784

In re Application of  
David H. Tannenbaum  
Application No. 10/820,554  
Filed: April 8, 2004  
For: **TELEVISION VIEWER SELECTION OF  
PROGRAMS TO BE SUBSEQUENTLY  
DELIVERED**

DECISION ON PETITION  
TO MAKE SPECIAL

This is a decision on the petition to make special pursuant to 37 C.F.R. §1.102 and MPEP §708.02 (IV) (applicant's age) filed February 1, 2005.

A petition to make special under MPEP §708.02, IV, must show that petitioner is 65 years of age, or more. Acceptable evidence includes a birth certificate, copy of a driver's license, or simply a statement by the applicant. No fee is required.

The petition includes a statement signed by the inventor, stating that they are over 65 years of age.

Accordingly, the petition is **GRANTED**.

The application will retain its special status throughout its entire prosecution, including any appeal to the Board of Patent Appeals and Interferences, subject only to diligent prosecution by the applicant.

The application is being forwarded to the examiner for expedited prosecution.

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